

# **Exhibit 1**

**From:** [GitHub Developer Support](#)  
**To:** [Pete Kiousis](#)  
**Subject:** [GitHub Support] - DMCA takedown notice  
**Date:** Friday, September 8, 2023 9:04:20 AM

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## Please do not write below this line ##

Your request has been updated.

You can add a comment by replying to this email.

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 GitHub Trust & Safety (GitHub Support)

Sep 8, 2023, 4:04 PM UTC

Hi Pete,

We've reviewed the account reported in your notice and after additional review by our legal team we've determined that the repositories violate our Terms of Service. They have been disabled.

Please let us know if we can assist further.

Regards,

GitHub Trust & Safety

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 GitHub Trust & Safety (GitHub Support)

Sep 7, 2023, 9:14 PM UTC

Hi pete,

Thank you for your report. In order to be complete and actionable, a DMCA takedown notice must have a few additional details.

- Currently your notice does not provide working links to content on found on GitHub. Please revise and resend your notice to include working URLs that will allow us to locate the allegedly infringing content.

We would strongly suggest that you read through our [Copyright - DMCA Takedown Policy](#) and our [Guide to Submitting a DMCA Takedown Notice](#) to acquaint yourself with the way GitHub

implements the DMCA notice-and-takedown process and to get a better sense of how best to present your notice.

After you've revised your report to include the required details, please make sure to resend the entire DMCA takedown notice, and not only the corrected sections. You may reply to this email with your new DMCA notice, or file a new one through our [Copyright claims form](#). Once we've received your complete notice, we'll review it expeditiously.

Let us know if you have any questions.

Regards,  
GitHub Trust & Safety



pete kiousis

Sep 7, 2023, 12:45 AM UTC

**\*\*Are you the copyright holder or authorized to act on the copyright owner's behalf?\*\***

Yes, I am authorized to act on the copyright owner's behalf.

**\*\*Are you submitting a revised DMCA notice after GitHub Trust & Safety requested you make changes to your original notice?\*\***

No

**\*\*Does your claim involve content on GitHub or npm.js?\*\***

GitHub

**\*\*Please describe the nature of your copyright ownership or authorization to act on the owner's behalf.\*\***

nexteer owns valuable confidential and proprietary information related to steering programs sold to customers.

**\*\*Please provide a detailed description of the original copyrighted work that has allegedly been infringed. If possible, include a URL to where it is posted online.\*\***

nexteer owns valuable confidential and proprietary information related to steering programs sold to customers.

GitHub -  
autoflowers5/electricpowersteering\_eps\_ford\_t3t6\_rh850

GitHub - autoflowers5/Electric\_Power\_Steering\_FIASA\_TMS570

GitHub -  
autoflowers5/electricpowersteering\_eps\_bmw\_faar\_rh850

GitHub - autoflowers5/electricpowersteering\_eps\_gm\_t1xx\_rh850

\*\*What files should be taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.\*\*

GitHub -  
autoflowers5/electricpowersteering\_eps\_ford\_t3t6\_rh850

GitHub - autoflowers5/Electric\_Power\_Steering\_FIASA\_TMS570

GitHub -  
autoflowers5/electricpowersteering\_eps\_bmw\_faar\_rh850

GitHub - autoflowers5/electricpowersteering\_eps\_gm\_t1xx\_rh850

\*\*Do you claim to have any technological measures in place to control access to your copyrighted content? Please see our <a href="[Complaints](https://docs.github.com/articles/guide-to-submitting-a-dmca-takedown-notice#complaints-about-anti-circumvention-technology) about Anti-Circumvention Technology</a> if you are unsure.\*\*

Yes

\*\*What technological measures do you have in place and how do they effectively control access to your copyrighted material?\*\*

monitoring access and control of the data and other security features

\*\*How is the accused project designed to circumvent your technological protection measures?\*\*

we are still investigating how he stole the information

\*\*<a href="[Have](https://docs.github.com/articles/dmca-takedown-policy#b-what-about-forks-or-whats-a-fork) you searched for any forks</a> of the allegedly infringing files or repositories?

Each fork is a distinct repository and must be identified separately if you believe it is infringing and wish to have it taken down.\*\*

take down all forks if they exist

GitHub -

autoflowers5/electricpowersteering\_eps\_ford\_t3t6\_rh850

GitHub - autoflowers5/Electric\_Power\_Steering\_FIASA\_TMS570

GitHub -

autoflowers5/electricpowersteering\_eps\_bmw\_faar\_rh850

GitHub - autoflowers5/electricpowersteering\_eps\_gm\_t1xx\_rh850

\*\*Is the work licensed under an open source license?\*\*

No

\*\*What would be the best solution for the alleged infringement?

\*\*

Reported content must be removed

\*\*Do you have the alleged infringer's contact information? If so, please provide it.\*\*

Nexteer has subpoenaed github for the information

\*\*I have a good faith belief that use of the copyrighted materials described above on the infringing web pages is not authorized by the copyright owner, or its agent, or the law.\*\*

\*\*I have taken <a href="<https://www.lumendatabase.org/topics/22>">fair use</a> into consideration.\*\*

\*\*I swear, under penalty of perjury, that the information in this notification is accurate and that I am the copyright owner, or am authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed.\*\*

\*\*I have read and understand GitHub's <a href="<https://docs.github.com/articles/guide-to-submitting-a-dmca-takedown-notice/>">Guide to Submitting a DMCA Takedown Notice</a>.\*\*

\*\*So that we can get back to you, please provide either your telephone number or physical address.\*\*

pete kiousis  
chief ip counsel  
nexteer automotive corp  
1272 doris  
auburn hills mi 48238

248 563 8797  
[pete.kiousis@nexteer.com](mailto:pete.kiousis@nexteer.com)

\*\*Please type your full legal name below to sign this request.\*\*

pete kiousis

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This email is a service from GitHub Support.

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The information transmitted by this email is intended only for the person or entity to which it is addressed. This email may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message, be aware that any use, review, retransmission, distribution, reproduction or any action taken in reliance upon this message is strictly prohibited. If you received this in error, please contact the sender and delete the material from all computers.

[Privacy Policy](#) | [www.Nexteer.com](http://www.Nexteer.com) | [Contact us](#)

**From:** [GitHub Developer Support](#)  
**To:** [Pete Kiousis](#)  
**Subject:** [GitHub Support] - DMCA takedown notice  
**Date:** Wednesday, August 23, 2023 2:05:40 PM

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## Please do not write below this line ##

Your request has been updated.

You can add a comment by replying to this email.

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 GitHub Trust & Safety Team (GitHub Support)

Aug 23, 2023, 9:05 PM UTC

Hi pete,

The following content has been disabled and the owners have been notified of the takedown. We will let you know if any of the users file a counter notice to have the content re-enabled:

[https://github.com/windhoov/EPS\\_PROJECT\\_TMS570](https://github.com/windhoov/EPS_PROJECT_TMS570)

Please let us know if you have any other questions.

Regards,  
GitHub Trust & Safety

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 GitHub Trust & Safety Team (GitHub Support)

Aug 23, 2023, 6:04 PM UTC

Hello pete,

Thanks for contacting GitHub Trust & Safety.

We've received your report and will get back to you once our review is complete. In the meantime, please let us know if there is anything else we can help you with.

Regards,  
GitHub Trust & Safety

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 pete kiousis

Aug 23, 2023, 3:10 PM UTC

\*\*Are you the copyright holder or authorized to act on the copyright owner's behalf?\*\*

Yes, I am authorized to act on the copyright owner's behalf.

\*\*Are you submitting a revised DMCA notice after GitHub Trust & Safety requested you make changes to your original notice?\*\*

No

\*\*Does your claim involve content on GitHub or npm.js?\*\*

GitHub

\*\*Please describe the nature of your copyright ownership or authorization to act on the owner's behalf.\*\*

Nexteer has developed confidential and proprietary software to run its products including steering systems

\*\*Please provide a detailed description of the original copyrighted work that has allegedly been infringed. If possible, include a URL to where it is posted online.\*\*

confidential and proprietary software used to run Nexteer's products including its supplier's confidential information.

[https://github.com/windhoov/EPS\\_PROJECT\\_TMS570](https://github.com/windhoov/EPS_PROJECT_TMS570) and all forks.

\*\*What files should be taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.\*\*

[https://github.com/windhoov/EPS\\_PROJECT\\_TMS570](https://github.com/windhoov/EPS_PROJECT_TMS570) and all forks. thsi is a follow up of subpoena from Nexteer to github

\*\*Do you claim to have any technological measures in place to control access to your copyrighted content? Please see our <a href="<https://docs.github.com/articles/guide-to-submitting-a-dmca-takedown-notice#complaints-about-anti-circumvention-technology>">Complaints about Anti-Circumvention Technology</a> if you are unsure.\*\*

Yes

\*\*What technological measures do you have in place and how do they effectively control access to your copyrighted material?\*\*

various software and controls to monitor and prevent access to code

\*\*How is the accused project designed to circumvent your technological protection measures?\*\*

we are still researching hw this was done

\*\*<a href="<https://docs.github.com/articles/dmca-takedown-policy#b-what-about-forks-or-whats-a-fork>">Have you searched for any forks</a> of the allegedly infringing files or repositories? Each fork is a distinct repository and must be identified separately if you believe it is infringing and wish to have it taken down.\*\*

[https://github.com/windhoov/EPS\\_PROJECT\\_TMS570](https://github.com/windhoov/EPS_PROJECT_TMS570) and all forks.

\*\*Is the work licensed under an open source license?\*\*

No

\*\*What would be the best solution for the alleged infringement?  
\*\*

Reported content must be removed

\*\*Do you have the alleged infringer's contact information? If so, please provide it.\*\*

no, subject to subpoena filed by Nexteer

\*\*I have a good faith belief that use of the copyrighted materials described above on the infringing web pages is not authorized by the copyright owner, or its agent, or the law.\*\*

\*\*I have taken <a href="<https://www.lumendatabase.org/topics/22>">fair use</a> into consideration.\*\*

\*\*I swear, under penalty of perjury, that the information in this notification is accurate and that I am the copyright owner, or am authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed.\*\*

\*\*I have read and understand GitHub's <a href="<https://docs.github.com/articles/guide-to-submitting-a-dmca-takedown-notice/>">Guide to Submitting a DMCA Takedown Notice</a>.\*

\*\*So that we can get back to you, please provide either your telephone number or physical address.\*\*

pete kiousis  
chief ip counsel  
nexteer  
1272 doris  
aburn hills mi

248 563 8797

\*\*Please type your full legal name below to sign this request.\*\*

pete kiousis

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**From:** [GitHub Developer Support](#)  
**To:** [Pete Kiousis](#)  
**Subject:** [GitHub Support] - DMCA takedown notice  
**Date:** Wednesday, October 11, 2023 11:20:53 AM

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## Please do not write below this line ##

Your request has been updated.

You can add a comment by replying to this email.

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 GitHub Trust & Safety (GitHub Support)

Oct 11, 2023, 6:20 PM UTC

Hi pete,

The following content has been disabled and the owner has been notified of the takedown. We will let you know if any of this user files a counter notice to have the content re-enabled:

[https://github.com/automotiveteam/Ecu\\_PSA\\_CMP](https://github.com/automotiveteam/Ecu_PSA_CMP)  
[https://github.com/automotiveteam/Ecu\\_HAITEC\\_LC](https://github.com/automotiveteam/Ecu_HAITEC_LC)

Please let us know if you have any other questions.

Regards,  
GitHub Trust & Safety

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 GitHub Trust & Safety (GitHub Support)

Oct 9, 2023, 5:45 PM UTC

Hello pete,

Thanks for contacting GitHub Trust & Safety.

We've received your report and will get back to you once our review is complete. In the meantime, please let us know if there is anything else we can help you with.

Regards,  
GitHub Trust & Safety

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pete kiousis



Oct 6, 2023, 6:07 PM UTC

\*\*Are you the copyright holder or authorized to act on the copyright owner's behalf?\*\*

Yes, I am authorized to act on the copyright owner's behalf.

\*\*Are you submitting a revised DMCA notice after GitHub Trust & Safety requested you make changes to your original notice?\*\*

Yes

\*\*Please provide the Zendesk ticket number of your previously submitted notice. Zendesk ticket numbers are 7 digit ID numbers located in the subject line or body of your confirmation email.\*\*

2363050

\*\*Does your claim involve content on GitHub or npm.js?\*\*

GitHub

\*\*Please describe the nature of your copyright ownership or authorization to act on the owner's behalf.\*\*

Nexteer owns proprietary software for controlling automotive steering systems.

\*\*Please provide a detailed description of the original copyrighted work that has allegedly been infringed. If possible, include a URL to where it is posted online.\*\*

Nexteer owns proprietary software for controlling automotive steering systems.

everything by <https://github.com/automotiveteam>

[https://github.com/automotiveteam/Ecu\\_PSA\\_CMP](https://github.com/automotiveteam/Ecu_PSA_CMP)

[https://github.com/automotiveteam/Ecu\\_HAITEC\\_LC](https://github.com/automotiveteam/Ecu_HAITEC_LC)

including any forks and downloads and first instance posted by ada

\*\*What files should be taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.\*\*

Nexteer owns proprietary software for controlling automotive steering systems.

everything by <https://github.com/automotiveteam>

[https://github.com/automotiveteam/Ecu\\_PSA\\_CMP](https://github.com/automotiveteam/Ecu_PSA_CMP)

[https://github.com/automotiveteam/Ecu\\_HAITEC\\_LC](https://github.com/automotiveteam/Ecu_HAITEC_LC)

including any forks and downloads and first instance posted by ada who had the first instance

\*\*Do you claim to have any technological measures in place to control access to your copyrighted content? Please see our <a href="<https://docs.github.com/articles/guide-to-submitting-a-dmca-takedown-notice#complaints-about-anti-circumvention-technology>">Complaints about Anti-Circumvention Technology</a> if you are unsure.\*\*

Yes

\*\*What technological measures do you have in place and how do they effectively control access to your copyrighted material?\*\*

the ip theft happened years ago but being reposted now. we have better security measures now but still updating

\*\*How is the accused project designed to circumvent your technological protection measures?\*\*

the ip theft happened years ago but being reposted now. we have better security measures now but still updating

\*\*<a href="<https://docs.github.com/articles/dmca-takedown-policy#b-what-about-forks-or-whats-a-fork>">Have you searched for any forks</a> of the allegedly infringing files or repositories? Each fork is a distinct repository and must be identified separately if you believe it is infringing and wish to have it taken down.\*\*

[https://github.com/automotiveteam/Ecu\\_PSA\\_CMP](https://github.com/automotiveteam/Ecu_PSA_CMP)

[https://github.com/automotiveteam/Ecu\\_HAITEC\\_LC](https://github.com/automotiveteam/Ecu_HAITEC_LC)

including any forks and downloads and first instance posted by ada who had the first instance

\*\*Is the work licensed under an open source license?\*\*

No

\*\*What would be the best solution for the alleged infringement?  
\*\*

Reported content must be removed

\*\*Do you have the alleged infringer's contact information? If so, please provide it.\*\*

still under investigation. we have subpoenaed github for more info.

\*\*I have a good faith belief that use of the copyrighted materials described above on the infringing web pages is not authorized by the copyright owner, or its agent, or the law.\*\*

\*\*I have taken <a href="<https://www.lumendatabase.org/topics/22>">fair use</a> into consideration.\*\*

\*\*I swear, under penalty of perjury, that the information in this notification is accurate and that I am the copyright owner, or am authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed.\*\*

\*\*I have read and understand GitHub's <a href="<https://docs.github.com/articles/guide-to-submitting-a-dmca-takedown-notice/>">Guide to Submitting a DMCA Takedown Notice</a>.\*\*

\*\*So that we can get back to you, please provide either your telephone number or physical address.\*\*

Pete Kiousis  
Assistant General Counsel and Chief IP Counsel  
Intellectual Property consulting by iPete  
Cell: +1 248 563 8797  
1272 Doris Road, Auburn Hills, MI 48326  
United States  
3900 E Holland Rd Saginaw, MI 48601-9494  
United States

\*\*Please type your full legal name below to sign this request.\*\*

pete kiousis

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